



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15098 of 2026

1. R.Arumugam
S/o.Raman,
No.3/157, Bharathiyar Street,
Annai Indira Nagar,
Shanmugapuram,
Ambattur,
Chennai-600063.

2. P.Vadivel
S/o.Ponnusamy,
No.131/12, Ilakkiyamapatti,
Nathukuzhipatti Post,
Gundurnadu,
Namakkal-637411.

..Petitioner(s)

Vs

The Inspector of Police,
Rajamangalam Police Station,
Kolathur,
Chennai-600 099.
Cr.No.173/2026.

..Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of BNSS, praying to enlarge the petitioners herein on bail in the event of their arrest in Cr.No.173 of 2026 on the file of the respondent.

For Petitioner(s): Mr.R.Dhana Sekar

For Respondent(s): Mr.N.Palanivel,
Government Advocate (Crl. Side)



Order

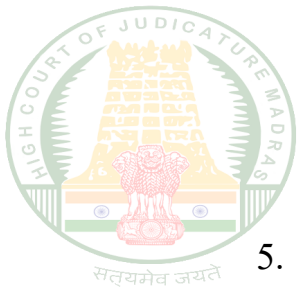
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The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 303(2) of BNS and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.173 of 2026, seek anticipatory bail.

2. The case of the prosecution is that based on secret information, the respondent police went to the scene of occurrence and found that the petitioners had illegally transported three units of normal sand without valid permit/license with the help of lorry. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous case has been registered against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.



5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. From the submission made by the learned Government Advocate (Crl.Side) the petitioners does not have any previous cases. Though, this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that he has no previous case, and upon the fond hope that he would mend himself in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned Chief Judicial Magistrate, Cuddalore, on condition that the petitioners shall execute a bond for a sum of Rs.20,000/- each (Rupees Twenty Thousand only), with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:



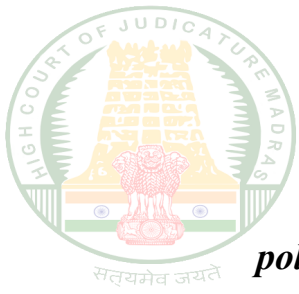
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(a) If the petitioners fail to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioners are directed to produce a demand draft for a sum of Rs.80,000/- (Rupees Eighty thousand only) in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Cuddalore District', (Non refundable) before the learned Chief Judicial Magistrate, Cuddalore;

(d) On production of the above Demand Draft, the learned Magistrate is directed to take necessary steps to hand over the same to the District Collector. Upon receipt of the said amount, the District Collector shall realise and utilise the same strictly in accordance with law and in terms of G.O.Ms.No.84, Natural Resources (MMD.1) Department, dated 16.12.2025;



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(e) The petitioners shall report before the respondent police daily at 10.30 am for a period of four weeks and there after as and when required for interrogation;

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];

(g) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

16-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

- 1.The Inspector of Police,
Rajamangalam Police Station,
Kolathur, Chennai – 600 099.
- 2.The Chief Judicial Magistrate,
Cuddalore.
- 3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN J.

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